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APPLICATION NO.	FILING DATE	FIRST NAMED INVENT	OR A	TTORNEY DOCKET NO.	CONFIRMATION NO.	
10/796,768	03/09/2004	Dallas Wayne Kellerm	an Bl	LN 4325 (BLN-026642)	3195	
321	321 7590 09/22/2004			EXAMINER		
SENNIGER POWERS LEAVITT AND ROEDEL				VU, HIEN D		
ONE METRO	POLITAN SQUA	ARE				
16TH FLOOR				ART UNIT	PAPER NUMBER	
ST LOUIS, M	IO 63102			2833		

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary 10/796,768		Application No.	Applicant(s)				
Hielin D. Vu 2833		10/796,768	KELLERMAN, DALLAS WAYNE				
The MALING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensives ribine may be available used the provided used the provided used the foreign and of 3°C R*1.136Q. In no event, however, may a nepty be limitely filled Extensives ribine may be available used the provided used the first (20) days, a reply valie in be address of reply appealed used to reply appealed used by the text in this (20) days, a reply valie in the text of reply appealed used the intensive prodict of largely and ville legis 16°C (MONTH'S from the mailing date of this communication. Fallules to reply valies in the set of extended period for reply will, by address the application to become ABANDONEO (35 U.S.C. § 135). Provided the reply valies in the set of extended period for reply will, by address the application to become ABANDONEO (35 U.S.C. § 135). Provided the communication of the communication of the communication, even if timely flex, may review any extensive any ex	Office Action Summary	Examiner	Art Unit				
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1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a replevent of the period for reply is specified above, the maximum statutory period. - Failure to reply within the set or extended period for reply will, by statute that the period for reply within the set or extended period for reply will, by statute that the period for reply will be set or extended period for reply will, by statute that the period for reply will be set or extended period for reply will be set or extended period for reply will.	136(a). In no event, however, may a reply be ti ly within the statutory minimum of thirty (30) da will apply and will expire SIX (6) MONTHS fror e, cause the application to become ABANDON	mely filed ys will be considered timely. n the mailing date of this communication. ED (35 U.S.C. § 133).				
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-28 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are objected to. 8) Claim(s) 1-28 are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some C) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the ortified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of Prefspersor's Patent Drawing Review (PTO-948) 3) Notice of Informal Patent Application (PTO-152)	Status						
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Application/Control Number: 10/796,768

Art Unit: 2833

Election/Restrictions

This application contains claims directed to the following patentably distinct species of the claimed invention: species 1, figs. 1-12; species 2, figs. 1&13-16; species 3, figs. 1 & 20-23; species 4, figs. 1 & 24-25; species 5, figs. 1 & 26-27; species 6, figs. 1 & 28-29; species 7, figs. 1 & 30-31; species 8, figs. 1 & 32-33; species 9, figs. 1 & 34-36; species 10, figs. 1 & 37-38; species 11, figs. 1 & 39 and species 12, figs. 1 & 40.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claim 1 is generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the

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case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A telephone call was made to Mr. Michael Godar on 9/7/04 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hien D. Vu whose telephone number is 571-272-2016. The examiner can normally be reached on 9-5.

HV 9//8/04

> HIEN VU PRIMARY EXAMINER

Him Ulu

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